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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,887	01/25/2002	Vincent E. DeGiulio	33836000002	2876

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ACCENTURE
C/O VEDDER PRICE KAUFMAN & KAMMHOLZ, P.C.
222 NORTH LASALLE STREET
CHICAGO, IL 60601

EXAMINER	
BURGESS, BARBARA N	
ART UNIT	**PAPER NUMBER**
2157	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/056,887	DEGIULIO ET AL.	
	Examiner	Art Unit	
	Barbara N. Burgess	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 June 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13,30-34 and 62-77* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13,30-34 and 62-77* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to Amendment filed June 14, 2006. Claims 14-16, 35-41 have been cancelled and claims 17-29 and 42-61 are withdrawn as requested by Applicant. Claims 1-13 and 30-34 are presented for further examination. Claims 62-77 are newly added and presented for initial examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-13, 30-34, 62-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliott (US Patent 6,509,830 B1) in view of Radican (US Patent 6,148,291).

As per claim 1, Elliott discloses a computer architecture for tracking a plurality of containers, wherein the computer architecture is coupled to a status tracking structure that provides event information regarding at least a portion of the plurality of containers, the computer architecture comprising:

- An event table for storing the event information (column 4, lines 55-67, column 5, column 6, lines 35-67, column 7, lines 1-30);

- A rule execution component, coupled to the event table, that processes the event information in accordance with at least one rule, wherein the at least one rule tests for non-optimal use of at least one object of the plurality of objects (column 2, lines 1-10, column 10, lines 5-15, 32-49);
- An event engine component, coupled to the status tracking structure and the event table, that receives the event information, stores the event information in the event table and, in response to the receipt of the event information, causes the rule execution component to process the event information in accordance with at least a portion of the at least one rule (column 6, lines 50-67, column 9, lines 50-67, column 11, lines 1-14).

Elliott does not explicitly disclose:

- Use of at least one container of the plurality of containers based on the event information and one or more degree of use characteristics of the at least one container.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a

container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 2, Elliott discloses the computer architecture of claim 1, further comprising: a configuration engine component, coupled to the rule execution component, that periodically causes the rule execution component to process the event information in accordance with some of the at least one rule (column 10, lines 5-15).

As per claims 3, 12, Elliott discloses the computer architecture of claims 1 and 9, wherein the event information comprises location information (column 2, lines 26-28, column 5, lines 40-45).

Elliott does not explicitly disclose location information corresponding to the plurality of containers.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claims 4, 13, Elliott discloses the computer architecture of claims 1 and 9, wherein the event information comprises environmental information (column 2, lines 26-28).

Elliott does not explicitly disclose environmental information corresponding to the plurality of containers.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 5, Elliott discloses a computer architecture for tracking a plurality of containers, wherein the computer architecture is coupled to a status tracking structure that provides event information regarding at least a portion of the plurality of containers, the computer architecture comprising:

- An event table for storing the event information (column 4, lines 55-67, column 5, column 6, lines 35-67, column 7, lines 1-30);

- A rule execution component, coupled to the event table, that processes the event information in accordance with at least one rule, wherein at least one rule tests for non-optimal use (column 6, lines 50-67, column 9, lines 50-67, column 11, lines 1-14);
- A configuration engine component, coupled to the rule execution component, that periodically causes the rule execution component to process the event information in accordance with at least a portion of the at least one rule (column 5, lines 40-61, column 11, lines 20-35).

Elliott does not explicitly disclose:

- Use of at least one container of the plurality of containers based on the event information and one or more degree of use characteristics of the at least one container.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 6, Elliott discloses the computer architecture of claim 5, wherein the at least one rule comprises at least two rules, and wherein configuration engine component associates at least two execution frequencies with the at least two rules such that a portion of the at least two rules is executed with a frequency different from other rules of the at least two rules (column 10, lines 30-49).

As per claim 7, Elliott discloses the computer architecture of claim 5 wherein the event information comprises location information (column 2, lines 26-28, column 5, lines 40-45).

Elliott does not explicitly disclose location information corresponding to the plurality of containers.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 8, Elliott discloses the computer architecture of claim 5 wherein the event information comprises environmental information (column 2, lines 26-28).
Elliott does not explicitly disclose environmental information corresponding to the plurality of containers.
However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 9, Elliott discloses a computer architecture for tracking a plurality of containers, wherein the computer architecture is coupled to a status tracking structure that provides event information regarding at least a portion of the plurality of containers, the computer architecture comprising:

- An event table for storing the event information (column 4, lines 55-67, column 5, column 6, lines 35-67, column 7, lines 1-30);
- A rule storage component (column 4, lines 64-67, column 5);

- A rule execution component, coupled to the event table and the rule storage component, that processes the event information in accordance with at least one rule stored in the rule storage component, and wherein the rule storage component permits modification of any of the at least one rule independent of the rule execution component, wherein the at least one rule tests for non-optimal use (column 6, lines 35-67, column 8, lines 15-40, column 10, lines 30-49).

Elliott does not explicitly disclose:

- Use of at least one container of the plurality of containers based on the event information and one or more degree of use characteristics of the at least one container.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 10, Elliott discloses the computer architecture of claim 9, further comprising:

an event engine component, coupled to the status tracking structure and the event table, that receives the event information, stores the event information in the event table and, in response, causes the rule execution component to process the event information in accordance with at least one immediate rule of the at least one rule (column 9, lines 57-67, column 10, lines 16-47).

As per claim 11, Elliott discloses the computer architecture of claim 9, further comprising:

a configuration engine component, coupled to the rule execution component, that periodically causes the rule execution component to process the event information in accordance with at least one periodic rule of the at least one rule (column 9, lines 57-67, column 10, lines 16-47, 50-55).

As per claim 30, Elliott discloses in a system for tracking a plurality of containers comprising a tracking manager coupled to a status tracking structure that provides event information regarding at least a portion of the plurality of containers, a method in the tracking manager comprising:

- Receiving the event information (column 7, lines 7-30, column 9, lines 57-65, column 10, lines 1-15);
- Processing the event information in accordance with at least one immediate rule in response to receipt of the event information, wherein the at least one rule tests for non-optimal use (column 10, lines 30-49, column 11, lines 4-15).

Elliott does not explicitly disclose:

- Use of at least one container of the plurality of containers based on the event information and one or more degree of use characteristics of the at least one container.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 31, Elliott discloses the method of claim 30, wherein processing of the event information further comprises processing the event information in accordance with periodic rules of the at least one rule (column 5, lines 63-67, column 6, lines 1-5).

As per claim 32, Elliott discloses the method of claim 30 wherein the event information comprises location information (column 2, lines 26-28, column 5, lines 40-45).
Elliott does not explicitly disclose location information corresponding to the plurality of containers.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 33, Elliott discloses the method of claim 30 wherein the event information comprises environmental information (column 2, lines 26-28).

Elliott does not explicitly disclose environmental information corresponding to the plurality of containers.

However, in an analogous, Radican teaches container monitoring methods and systems providing detailed logistical control of containers. The system is provided for accumulating and storing information on shipping containers, including location and load status (Abstract, column 2, lines 45-67, column 4, lines 55-67, column 7, lines 8-20).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a

container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 34, Elliott discloses a computer-readable medium having computer-executable instructions stored thereon for performing the method of claim 30 (column 3, lines 35-67).

As per claims 62, 66, 70, Elliott does not explicitly discloses the computer architecture of claims 1, 5, 9, wherein the at least one rule determines whether at least one empty container of the plurality of containers has been allowed to sit for greater than a period of time.

However, in an analogous, Radican teaches monitoring the arrival time of a container and retention time to accurately measure the total amount of time a container is retainer (column 6, lines 20-32).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claims 63, 67, 71, Elliott does not explicitly discloses the computer architecture of claims 1, 5, 9, wherein the at least one rule determines whether at least two partially-full containers of the plurality of containers have been dispatched to a destination within a period of time.

However, in an analogous, Radican teaches monitoring status of specific contents of containers such as load status by using designations such as full, partial load, or empty (column 7, lines 8-25).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claims 64. 68, 72, Elliott does not explicitly discloses the computer architecture of claims 1, 5, 9, wherein the at least one rule determines whether a given container of the plurality of containers is less than half full prior to loading of the container on a vehicle.

However, in an analogous, Radican teaches monitoring status of specific contents of containers such as load status by using designations such as full, partial load, or empty (column 7, lines 8-25).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claims 65, 69, 73, Elliott does not explicitly discloses the computer architecture of claim 1, wherein the at least one rule determines whether two containers of the plurality of containers are less than ninety percent full when combined.

However, in an analogous, Radican teaches monitoring status of specific contents of containers such as load status by using designations such as full, partial load, or empty (column 7, lines 8-25).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 74, Elliott does not explicitly discloses the method of claim 30, wherein the at least one rule determines whether at least one empty container of the plurality of containers has been allowed to sit for greater than a period of time.

However, in an analogous, Radican teaches monitoring the arrival time of a container and retention time to accurately measure the total amount of time a container is retainer (column 6, lines 20-32).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 75, Elliott does not explicitly discloses the method of claim 30, wherein the at least one rule determines whether at least two partially-full containers of the plurality of containers have been dispatched to a destination within a period of time.

However, in an analogous, Radican teaches monitoring status of specific contents of containers such as load status by using designations such as full, partial load, or empty (column 7, lines 8-25).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a

container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 76, Elliott does not explicitly discloses the method of claim 30, wherein the at least one rule determines whether a given container of the plurality of containers is less than half full prior to loading of the given container on a vehicle.

However, in an analogous, Radican teaches monitoring status of specific contents of containers such as load status by using designations such as full, partial load, or empty (column 7, lines 8-25).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

As per claim 77, Elliott does not explicitly discloses the method of claim 30, wherein the at least one rule determines whether two containers of the plurality of containers are less than ninety percent full when combined.

However, in an analogous, Radican teaches monitoring status of specific contents of containers such as load status by using designations such as full, partial load, or empty (column 7, lines 8-25).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate Radican's containers in Elliott's architecture providing reports on container arrivals at a facility, numbers of moves of a container by a switching vehicle, and locations and unloading activities of containers at docks at a facility.

Response to Arguments

3. Applicant's arguments with respect to claim have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

August 15, 2007

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER